

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL NO. 1456
Civil Action No. 01-12257-PBS

THIS DOCUMENT RELATES TO:

Judge Patti B. Saris

The City of New York v. Abbott Labs., et al.
S.D.N.Y. Case No. 04-CV-06054
County of Albany v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0425
County of Allegany v. Abbott Labs., et al.
W.D.N.Y. Case No. 05-CV-0236
County of Broome v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-00456
County of Cattaraugus v. Abbott Labs., et al.
W.D.N.Y. Case No. 05-CV-0256
County of Cayuga v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0423
County of Chautauqua v. Abbott Labs., et al.
W.D.N.Y. Case No. 05-CV-0214
County of Chemung v. Abbott Labs., et al.
W.D.N.Y. Case No. 05-CV-6744
County of Chenango v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0354
County of Columbia v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0867
County of Cortland v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0881
County of Dutchess v. Abbott Labs., et al.
S.D.N.Y. Case No. 05-CV-6458
County of Essex v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0878
County of Fulton v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0519
County of Genesee v. Abbott Labs., et al.
W.D.N.Y. Case No. 05-CV-00267
County of Greene v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-0474
County of Herkimer v. Abbott Labs., et al.
N.D.N.Y. Case No. 05-CV-00415
County of Jefferson v. Abbott Labs., et al.

[PROPOSED] ORDER

N.D.N.Y. Case No. 05-CV-0715)
<i>County of Lewis v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0839)
<i>County of Madison v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0714)
<i>County of Monroe v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6148)
<i>County of Niagara v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6296)
<i>County of Oneida v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0489)
<i>County of Onondaga v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0088)
<i>County of Ontario v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6373)
<i>County of Orleans v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6371)
<i>County of Putnam v. Abbott Labs., et al.</i>)
S.D.N.Y. Case No. 05-CV-4748)
<i>County of Rensselaer v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0422)
<i>County of Rockland v. Abbott Labs., et al.</i>)
S.D.N.Y. Case No. 03-CV-7055)
<i>County of St. Lawrence v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0479)
<i>County of Saratoga v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0478)
<i>County of Schuyler v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6387)
<i>County of Seneca v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6370)
<i>County of Steuben v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6223)
<i>County of Suffolk v. Abbott Labs., et al.</i>)
E.D.N.Y. Case No. 01-CV-12257)
<i>County of Tompkins v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0397)
<i>County of Ulster v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 06-CV-123)
<i>County of Warren v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0468)
<i>County of Washington v. Abbott Labs., et al.</i>)
N.D.N.Y. Case No. 05-CV-0408)
<i>County of Wayne v. Abbott Labs., et al.</i>)
W.D.N.Y. Case No. 05-CV-6138)
<i>County of Westchester v. Abbott Labs., et al.</i>)

S.D.N.Y. Case No. 03-CV-6178)
County of Wyoming v. Abbott Labs., et al.)
W.D.N.Y. Case No. 05-CV-6379)
County of Yates v. Abbott Labs., et al.)
W.D.N.Y. Case No. 05-CV-06172)
-- and --)
County of Nassau v. Abbott Labs, et al.)
(E.D.N.Y. No. 04-CV-5126))
-- and --)
County of Orange v. Abbott Laboratories,)
et al., S.D.N.Y. No. 07-CV-2777)
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[PROPOSED] ORDER

IT IS HEREBY ORDERED that the Plaintiffs' Claims, ~~except those of Nassau County and Orange County,~~ against Aventis Pharmaceuticals, Inc., and/or its predecessors, subsidiaries, joint venture owners, corporate parents and affiliates, successors and assigns, including but not limited to Dermik Laboratories, Aventis Behring, LLC (now known as ZLB Behring, LLC), Hoechst Marion Roussel, Inc., and Sanofi-Synthelabo, Inc., are DISMISSED WITH PREJUDICE.

Dated: November ____, 2008

Judge Patti B. Saris